



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

June 29, 2023

BY E-MAIL

The Honorable Loretta A. Preska
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Winston Smith, 08 Cr. 379 (LAP) and 12 Cr. 189 (LAP)*

Dear Judge Preska:

The Government writes to request an adjournment of the pretrial conference in the above-referenced matter, presently scheduled for July 6, 2023 at 12:30 p.m. The parties are involved in discussions regarding a potential resolution of the defendant's two cases pending before Your Honor, but those discussions are not yet complete. Accordingly, the Government respectfully requests that the scheduled conference be adjourned for approximately 30 days so that the parties can attempt to reach a pre-trial disposition of the two matters. The parties are both available on August 15, 17, and 18, if any of those dates is convenient for the Court.

The Government also respectfully requests that the time between today and the new conference date be excluded pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The Government respectfully submits that the ends of justice served by granting the proposed exclusion outweigh the best interests of the public and the defendant in a speedy trial, as the proposed exclusion will permit the parties to continue their discussions regarding a potential pretrial resolution of this case. Counsel for the defendant consents to this request.

The conference is adjourned. The parties shall appear for a pretrial conference on August 30, 2023, at 11:30 AM in Courtroom 12A. The time between June 30 and August 30, 2023, shall be excluded pursuant to the provisions of the Speedy Trial Act in the interests of justice.

SO ORDERED.

Loretta A. Preska
6/30/2023

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

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